A purposeful multi-stakeholder learning dialogue (PMSLD) approach to mitigate high-conflict collective bargaining

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PUBLISHED ONLINE
Volume 41 (2) December 2022

Pages 118-134

Submitted August 2022

Accepted November 2022

DOI
10.36615/jcsa.v41i2. 1390

ISSN
0259-0069

Abstract

Strikes and labour issues have caused havoc both locally and globally over the last decade. Social dialogue in the form of collective bargaining has not been successful in addressing these issues as labour conflict persists, highlighting the need for improved multi-stakeholder engagement. This paper explores stakeholder engagement from the perspective of collective bargaining in the context of the South African Local Government Bargaining Council (SALGBC). Using an interpretivist paradigm, the research used exploratory, descriptive, and qualitative research to uncover a misalignment between what the SALGBC envisions stakeholder engagement to be and how it is experienced by the relevant parties. Stakeholders in the SALGBC perceive the employer's engagement as conducted in bad faith, coercive, lacking consultation, and accepting industrial action as engagement. To address these, a purposeful multi-stakeholder learning dialogue (PMSLD) is proposed, that blends dialogic communication and dialogic orientation with stakeholders who are receptive, reciprocal and valued for their social roles.

Keywords

stakeholder engagement, dialogic communication, dialogue, collective bargaining

INTRODUCTION

Stakeholder engagement is central to defining the relations between organisations and their stakeholders (Passetti, Bianchi, Battaglia & Frey, 2019). It is defined as "all those activities which are undertaken to create opportunities for dialogue between an organisation and one or more of its stakeholders with the aim of providing an informed basis for the organisation's decisions" (O'Riordan & Fairbrass, 2014: 123). Despite its importance in organisation-stakeholder relationships, there appears to be a lack of shared understanding about what stakeholder engagement entails (Botha, 2019; Kujala, Sachs, Leinonen, Heikkinen & Laude, 2022). This may be because the concept is often over-simplified to mean collaboration, communication, dialogue or participation. It is, however, more complex, with multiple perspectives, issues and considerations that influence its conceptualisation. These include the multi-voice (polyphonic) organisational context, issues and issue arenas (Botha & Meintjes, 2021), power-conflict dynamics and socio-political perspectives (Passetti et al., 2019). Ultimately, the goal of stakeholder engagement is for organisations to involve all stakeholders in their activities for mutual benefit (Taylor & Kent, 2014). More specifically, dialogical engagement creates an understanding between the stakeholders and is a tool for implementing that engagement (Lane & Kent, 2018).

In South Africa, the Labour Relations Act of 1995 aims to promote employees' participation in the decision-making process and the effective resolution of disputes. However, current labour relations continue to be confrontational (Heald, 2016; Musgrave, 2014), with South Africa (SA) ranked the worst country in the world for labour-employer collaboration (World Economic Forum, 2018). Stakeholder

conflict typically manifests through continuous strikes, go-slows, and pickets (Srinivasa, 2020). The scarcity of resources exacerbates these conflicts, as well as identity politics, structural imbalances and opposing goals in collective bargaining that characterise South African labour relations (Anstey, Grogan & Ngcukaitobi, 2011; Bendix, 2019; Heald, 2016). This is no different in the local government context, where strikes about labour issues have wreaked havoc in South Africa over the years (Head, 2021; Writer, 2021). As a result, an agreement was reached between the South African Local Government Association (SALGA) and the trade unions IMATU and SAMWU, forming the South African Local Government Bargaining Council (SALGBC). Despite this, labour conflict remains high (Cillié, 2018), and urgent calls continue for an intervention to mitigate these conflicts.

The turbulent labour relations context in post-apartheid South Africa is not unique. Webster (2015) argues that it mirrors the challenges experienced in global industrial relations systems. However, South Africa's apartheid legacy increased the complexity of labour relations as the new industrial relations system, while promising a more inclusive approach, involved a compromised solution to which not all parties agreed. As a result, strike activities (violent and peaceful) have increased dramatically since 2006, with a turning point reached during the 2012 Marikana massacre (Webster, 2015). South African collective bargaining has a history rooted in race, shifting from a unitarist approach toward societal corporatism (Bendix, 2019). Societal corporatism assumes that dialogue and collaboration between collective bargaining stakeholders are key to resolving tension (Finnemore, 2013). To this end, Kaptein and Van Tulder (2003) argue that this dialogue is a mechanism for facilitating stakeholder involvement in decision-making processes and a collaborative means of resolving stakeholder conflicts. However, as indicated by Botha and Meintjes (2021) and Passetti et al. (2019), the dialogue used in this stakeholder engagement may be more complex than that currently used in collective bargaining.

Engagement with stakeholders is a practice grounded in stakeholder theory (Freeman, Harrison, Wicks, Parmar & de Colle, 2010; Freeman, Kujala & Sachs, 2017; Greenwood, 2007; Sachs & Rühli, 2011). In 1984, Freeman proposed stakeholder theory as an alternative to economic theory (Freeman et al., 2010), emphasising market competition as the primary driver of social welfare. In contrast, stakeholder theory focuses on cooperation (Freeman & Phillips, 2002) between the organisation and its stakeholders. More specifically, the instrumental perspective of stakeholder theory is concerned with ethics, which stresses stakeholders' involvement in decision-making, especially those affecting employees (Jones, 1995). In recent years, the theory has refocused its premise on balancing stakeholders' interests (Bridoux & Stoelhorts, 2022), while behavioural stakeholder theory emerged to gain insight into stakeholder motives. This research extends stakeholder theory, specifically behavioural stakeholder theory, by examining the social and moral motives underlying stakeholder behaviour; labour strikes, to be more specific. It examines how stakeholder behaviour impacts the relationship between the organisation and the rest of its stakeholders and the relationship among stakeholders (Ni, Qian & Crilly, 2014).

Multiple studies have explored labour institutions, labour management relations and social dialogue in Africa (Alby, Azam & Rospabé, 2005; Parsons, 2007; Webster, 2015), public service labour relations (Clarke, 2007), and collective bargaining and stakeholder relations (Prasad, 2009). Studies on collective bargaining in the education sector are also available (Arseo, 2021; Ostash, 2017), including one on the public sector in the USA (Wells, 2018). One study explored collective engagement with stakeholders in a mining organisation in South Africa (Madlala, 2017). Over 90 scholarly articles have been published on stakeholder engagement in the last 15 years (Kujala et al., 2022), with one paper exploring dialogic stakeholder engagement (Passetti et al., 2019). None of these papers explored stakeholder engagement in the context of collective bargaining. Therefore, this paper explores stakeholder engagement in the labour context of collective bargaining by investigating how SALGBC envisions stakeholder engagement based on document analysis and how selected stakeholder representatives of the SALGBC experience stakeholder engagement.

The paper is organised as follows: First, it discusses the literature on stakeholder and dialogic engagement using a metamodern stakeholder and dialogic theory lens. This is followed by exploring collective bargaining and its application in the South African local government context as a background

to the interpretivist, qualitative research design. Finally, the identification and discussion of discrepancies between how SALGBC perceives engagement and its stakeholders in the light of literature led to the development of a purposeful multi-stakeholder learning dialogue approach.

METAMODERNISM AND STAKEHOLDER THEORY

In a postmodern environment, multiple voices of stakeholders, technological advancements, innovation, flat organisational structures, and stakeholder collaboration are prominent (Botha, 2021; Hallahan, 2015; Overton-de Klerk & Verwey, 2013). While the local government context relevant to this paper is modernistic, characterised by a tall structure and a top-down approach to leadership, it operates in a post-modernistic environment described above. Meyer and Barker (2020) suggest a metamodernist paradigm for stakeholder relationship research in such contexts. Such a paradigm acknowledges the interrelationship between postmodern and modern philosophy. In its philosophy of metamodernism, neither modernism nor postmodernism is rejected (Vermeulen & Van der Akker, 2010). Instead, it requires the development of an interconnected worldview that acknowledges the intimate relationship between external and inner conditions, as well as physical and social variables (Meyer, 2017). Metamodernism assists in understanding stakeholder engagement in a local government context having modernistic inner conditions while functioning within a postmodern context. In this context, local government employees' voices are expressed through strikes, go-slows and pickets, while technology such as social media is used exacerbating the situation.

As applied in this research, stakeholder theory provides the basis for long-term value creation through stakeholder engagement (Andriof, Waddock, Husted & Rahman, 2002). Stakeholder theory holds that the organisation has relationships with various stakeholders that affect and are also impacted by the organisation's decisions (Freeman, 1984). Stakeholder theory is concerned with the nature of these relationships regarding engagement processes and outcomes for the institution and its stakeholders. There is intrinsic value in stakeholders' interests, and no set of interests dominates another (Donaldson & Preston, 1995; Freeman et al., 2010; Jones & Wicks, 1999), focusing on value creation and value appropriation (Bridoux & Stoelhorts, 2022). From this perspective, behavioural stakeholder theory offers a more nuanced understanding of stakeholders. It considers fairness (Bridoux & Vishwanathan, 2020), reciprocity (Bridoux & Stoelhorst, 2016) and values (Lange, Bundy & Park, 2022) that may facilitate cooperation between the organisation and its stakeholders. Behavioural stakeholder theory also considers the social and moral motives underlying stakeholder behaviours (Bridoux & Stoelhorts, 2022). This is relevant in collective bargaining, as the negotiation process between the employer organisation and stakeholders must display fairness and reciprocity in creating value.

Stakeholder theory is not without criticism (Key, 1999; Maharaj, 2008; Mansell, 2013; Phillips, Freeman & Wicks, 2003; Weiss, 1995). These criticisms mainly revolve around the theory's internal contradictions, to wit the ideology of social good versus that of control, highlighting the need to explore the value-laden nature of the stakeholder concept (Antonacopoulou & Méric, 2005) with stakeholder theory firmly embedded in management thinking. Stakeholder theory has also been applied to strategic communication (Dühring & Zerfass, 2021; Mato-Santiso, Rey-Garca & Sanzo-Pérez, 2021) in which the emphasis is on a more refined understanding of stakeholder relationships.

The dialogic theory holds that organisations should be willing to interact with stakeholders honestly and ethically (Kent, Taylor & White, 2003), aligning with the instrumental view of stakeholder theory. Dialogic communication, as Bakhtin believed, is inherently relational; it documents how people relate to one another through communication (Barge & Little, 2002), supporting behavioural stakeholder theory as relationships come into being through communication based on an understanding of underlying social and moral behaviours. Besides reinforcing Buber's (1970) idea of dialogue being vital to human relationships, it considers Levinas' (1989) co-construction of ethical obligations and responsibilities through dialogue. This perspective is relevant in the context of this research, as stakeholders use dialogic communication in the form of stakeholder engagement in the collective bargaining process at local government level.

STAKEHOLDER ENGAGEMENT AND COLLECTIVE BARGAINING

Stakeholder engagement lacks a comprehensive definition, with many attempts focusing on "what it does, rather than what it is" (Lane & Kent, 2018:63). Kujala et al. (2022) recently attempted a definition after conducting a systematic literature review, defining it as: "the aims, activities, and impacts of stakeholder relations in a moral, strategic and pragmatic manner" (Kujala et al., 2022: 25). In stakeholder relationships with a moral aim, there are expectations of legitimacy, trust and fairness. These expectations result in activities that allow for stakeholder involvement (Greenwood, 2007) and empowerment (Botha, 2019), including democratising the relationship between parties. The morally desirable outcome of this process is giving all stakeholders a voice (Botha, 2021), which ideally should form part of the collective bargaining negotiation process.

From a strategy perspective, stakeholder engagement emphasises the purposefulness of stakeholder engagement as a relational approach. This relational approach concerns the heterogeneity of the relationships and the relations and interactions with various stakeholders (some of whom may be marginalised) (Andriof et al., 2002; Freeman, Kujala & Sachs, 2017). The relational approach is taken to the extreme with a stakeholder involvement strategy in which all stakeholders seek to influence one another equally. This stakeholder involvement invites concurrent negotiation (as the central focus of collective bargaining) to explore concerns while accepting changes using dialogue (Morsing & Schultz, 2006; Taylor & Kent, 2014). A relationship exists as a result of shared stories of mutual expectancies that are used to reduce uncertainty between the parties (Winkler & Wehmeier, 2018).

Pragmatically, stakeholder engagement is time-sensitive and embedded in a particular context, inspiring the cultivation of various stakeholder relationships (such as the local government collective bargaining context). In addition, it embraces stakeholder inclusion, conflict resolution and consensus building (Kujala et al., 2022), which is considered necessary to mitigate labour conflict in the local government environment (Cillié, 2018). Kaptein and Van Tulder (2003) explain that dialogue is a mechanism for stakeholder involvement in decision-making processes and a collaborative means of resolving organisational conflicts, such as those found in the local government context in South Africa.

Stakeholder engagement literature typically stresses ethically informed management, value-creation, and stakeholders' well-being (Friedman & Miles, 2006; Freeman, 1984; Freeman et al., 2010; Greenwood, 2007). However, organisations, stakeholders, and society may also experience adverse effects of stakeholder engagement, resulting from intended and unintended situations. In unintentional cases, individuals and organisations do not intentionally mean to harm others or destroy value, but do so as a result of misalignment, misconduct, or ignorance. It has been demonstrated that false claims and the destruction of commitment result in conflict and adverse outcomes due to intended harms (Abosag, Yen & Barner, 2016; Linstead, Maréchal & Griffin, 2014), such as those evident from the turbulent labour relations context in South Africa. To avoid this, every effort needs to be made to engage in true dialogue, which is characterised by high levels of mutuality, propinquity, empathy, risk and commitment (Lane, 2020).

Engagement and dialogue are interconnected at multiple levels, with dialogue providing both an orientation for engagement and a means of communicating during it. Lane and Kent (2018) suggest that engagement is more than two-way communication and requires a dialogic orientation. This orientation means that parties must show acceptance, inclusivity and positivity towards each other (Heath, 2014). In addition, the acknowledgement of stakeholders and the organisation-stakeholder relationship (mutuality) (Uysal, 2018) is a prerequisite to dialogue (Kent & Lane, 2017; Sommerfeldt & Yang, 2018), recognising the value of engaging with these stakeholders and viewing them as equals to the organisation (Lee & Desai, 2014; Okazaki, Plangger, Roulet & Benito, 2020). Other assumptions of dialogue in stakeholder engagement include the temporality and spontaneity of dialogue (propinquity), supportiveness and confirmation of stakeholders' goals and interests (empathy), the willingness to interact with stakeholders on their terms (risk), and the extent to which an organisation allows space for dialogue (commitment) (Lane & Kent, 2018; Uysal, 2018). These support the creation of a positive dialogic space.

The ability of stakeholders to engage with one another will be enhanced when they adopt a positive

dialogic orientation. Participants are encouraged to contribute, accept others' rights to contribute, commit to change, seek out participants with something to contribute, listen, reflect, and respond, and provide resources for dialogue. As part of an engagement process, dialogically-oriented stakeholders interact through multiple iterations of two-way communication (Lane & Kent, 2018). These iterations form part of stakeholder involvement in which dialogue takes place frequently and systematically (Morsing & Schultz, 2006), allowing stakeholders to be responsive and reciprocate levels of engagement.

Stakeholders are likely to accept difficult decisions taken by leaders if the decision-making processes are responsive and accountable to the broader stakeholder context (French, 2011). In this sense, engagement is regarded as a two-way process in which an organisation should appreciate the benefits of learning from stakeholders and vice versa, ensuring that the engagement is responsive and reciprocal. The contribution of stakeholders to the enhancement of engagement processes and initiatives should also be valued. Learning from and with stakeholders rather than merely engaging with them involves a serious commitment beyond just having a dialogue. It requires a commitment to embrace and accept critical stakeholders as a strategic asset in shaping the direction of an organisation (Partridge, Wheeler, Zohar & Jackson, 2005). Contextual awareness involves recognising what is at stake (also on a societal level) and who may hold such stakes (Jensen & Sandström, 2013). Creating multi-stakeholder learning dialogues allows for the exploration of relational responsibilities. Multicultural social values and norms can be incorporated into such an interactive learning process to create a broader appreciation of how complex problems reflect the interdependent dimensions of different social roles taken on by different stakeholder groups (Payne & Calton, 2002). This, in turn, may contribute to building trust.

Stakeholder trust in South African public sector organisations appears to be low, based on Edelman's (2014) trust barometer (Nienaber & Martins, 2016). In engaging stakeholders, an organisation should be open, disclose its agenda, objectives and boundaries, and be comprehensive and considerate of issues raised. The environment should also welcome different views to build trust with stakeholders, which is essential for engagement purposes (Hodges, 2019; Lock, 2019; Meintjes, 2021). In addition to stakeholder trust, Kaptein and Van Tulder (2003) argue that a welcoming environment contributes to stakeholders' confidence that an organisation is addressing their interests and supporting social dialogue in the form of collective bargaining.

Collective bargaining refers to a deliberate negotiation between employers and employees or organisations representing them to determine terms and conditions of employment through collective agreements (Bendix, 2019; Fox, 2006). Beatrix Potter Webb, a pioneer of the British Labour movement, introduced collective bargaining in 1891. In Webb's view, barter between individuals and between groups of workers or stakeholders must be preceded by negotiations through authorised representatives (De Wet, 1987; Du Toit, 2007). It forms an important and significant part of the labour relations system in South Africa (Nel, Kirsten, Swanepoel, Erasmus & Jordaan, 2016:16; Venter & Levy, 2014:412) and is a platform on which trade unions and employer organisations negotiate employment conditions and related issues in a broader societal context. It is a tool for groups of workers and employers to resolve conflicting interests and enter into an agreement that embraces the common interests of the stakeholders (Katz & Kockhan, 2000). At the same time, systems, structures, processes, interactions and other dynamics involved need to be integrated when employees pull together to negotiate with their employer regarding matters of concern for both stakeholders (Nel et al., 2016). As a result of the Industrial Conciliation Act of 1924, collective bargaining has traditionally been conducted at an industry level in SA, and the Labour Relations Act of 1995 maintained this practice (Venter & Levy, 2014:412).

THE SITUATIONAL CONTEXT OF THE RESEARCH

In the local government sector, collective bargaining can be conducted at a national or divisional level, depending on the issue being negotiated. The essential matters that the national level deals with are wages and salaries; hours of work; annual, sick, family responsibility and maternity leave; retrenchments policy and severance pay; homeowners' allowance and retirement funds. Issues that can be bargained at a divisional level include, among others, night work allowance, special leave, emergency work, legal

indemnification, acting allowance, special leave, and shift allowance (South African Local Government Bargaining Council, 2015). This research focuses on the divisional level because of the collective bargaining issues within the province of Gauteng. The South African Local Government Bargaining Committee has the following divisions in totality (SALGBC Constitution, 2017:35): Cape Town Metropolitan; Eastern Cape; eThekwini Metropolitan; Free State; Gauteng; Johannesburg Metropolitan; KwaZulu-Natal; Limpopo; Mpumalanga; Northern Cape; North-West, and Tshwane Metropolitan Division. The three collective bargaining divisions in the province are the Gauteng (which includes the Ekurhuleni Metropolitan Municipality, the Sedibeng and West Rand District Municipalities), Johannesburg and Tshwane divisions.

Local government stakeholders have organised themselves into employer and employee organisations to create an environment where bargaining is conducted collectively. Two trade unions represent local government employees: the South African Municipal Workers Union (SAMWU) and the Independent Municipal and Allied Trade Union (IMATU). The South African Local Government Association (SALGA) represents the employer. It is essential to mention that other local government trade unions in the Gauteng province are not recognised as collective bargaining stakeholders.

Ideally, SAMWU, IMATU and SALGA intend to peacefully reach a formal written agreement in the form of a "*Collective Agreement*" through the collective bargaining process. The *Collective Agreement* binds all parties for several years or until a particular issue necessitates changes. Currently, a 2015-2020 Main Collective Agreement is in place, resulting from collective bargaining. The objectives of the *Collective Agreement* are to ensure effective labour relations, promote employee participation in decision-making, promote the fair treatment of the employee, promote and maintain industrial peace, and create uniform procedures for all stakeholders covered by the agreement (Finnemore & Koekemoer, 2018; South African Local Government Bargaining Council, 2015). One of the essential *Collective Agreement* provisions is that each municipality must form a Local Labour Forum (LLF) where employer and employee representatives engage with each other at a local level.

METHODOLOGY

The research was exploratory, descriptive, and qualitative and adopted an interpretivist paradigm. Two methods of data collection were used for triangulation. Semi-structured interviews were conducted to understand how SALGBC enacts stakeholder engagement based on document analysis and selected stakeholders' views. Purposive sampling was applied to selected documents and participants from the target populations (Yin, 2016).

The documents included official documents of local government trade unions, the bargaining council, the employer organisation, and stakeholders participating in collective bargaining in local government labour relations. The sampling and data collection of documents began by exploring records available on the websites of each of the stakeholders involved with local government collective bargaining in the Gauteng province. The documents relevant to this study include the IMATU Constitution (2017); SAMWU Constitution (2010); SALGBC Constitution (2007); SALGBC Main Collective Agreement 2015-2020; Gauteng municipalities LLF Terms of Reference (2018); Labour Management Forum Terms of Reference (2018) and trade union press statements. The document analysis is significant in research into organisations such as SALGA with various stakeholders who have different motives. The documents provided broad coverage over a prolonged period and enabled the researcher to comprehend the language used by participants and the emphasis placed on stakeholder engagement.

The population for the semi-structured interviews included leaders of the South African Municipal Workers Union (SAMWU) (trade union) and Independent Municipal and Allied Trade Union (IMATU) (trade union) from the three divisions (Gauteng, Johannesburg and Tshwane) of the SALGBC in Gauteng. The leader of the SALGBC in Gauteng and the Gauteng SALGA's Collective Bargaining official also formed part of the sample (see Table 1). Research participants were purposefully selected because of their positions in the collective bargaining process. They are leaders in trade unions, the employer organisation and the bargaining council. Three participants were women, two from the trade union and one from the bargaining council.

Table 1: Participants included in the research

Participant	Reference in the data to the participant to ensure anonymity
IMATU leaders from the following SALGBC divisions: Johannesburg (2), Gauteng (2), and Tshwane (1)	Johannesburg Division Participant 1 (P1) Johannesburg Division Participant 2 (P2) Johannesburg Division Participant 3 (P3) Johannesburg Division Participant 4 (P4) Gauteng Division Participant 1 (P1) Gauteng Division Participant 2 (P2) Gauteng Division Participant 3 (P3) Gauteng Division Participant 4 (P4) Tshwane Division Participant 1 (P1) Tshwane Division Participant 1 (P1)
SAMWU leaders from the following SALGBC divisions: Johannesburg (2), Gauteng (2) and Tshwane (1)	
SALGBC Gauteng Province (1)	Tshwane Division Participant 3 (P3)
SALGA's Gauteng collective bargaining expert (1)	Gauteng Division Participant 5 (P5)
Total number of participants: 12	

Semi-structured interviews using a discussion guide were used to collect data from the selected participants. The discussion guide included broad questions from the literature review and document analysis to understand how stakeholder engagement is envisioned and experienced. A pilot study was conducted before data collection, during which an error in how one of the trade unions was represented was highlighted and corrected. Interviews were recorded and transcribed using the Zoom software, while entry into the Zoom meeting was controlled with a password to ensure the safety of participants.

Thematic analysis was used for both the analysis of the documents and semi-structured interviews to provide a thorough description of stakeholders' experience of the local government collective bargaining process in Gauteng. Braun and Clarke's (2006) thematic analysis approach was applied to the data. The documents and transcripts of the interviews were read, followed by identifying patterns in the two data sets, and creating codes representing similar ideas. From here, a coding scheme and categories were developed, followed by an interpretation from which the broad themes were extracted.

This research employed data triangulation using semi-structured interviews and document analysis in data collection to ensure data credibility. To ensure data integrity and dependability, the researcher revealed an audit trail explaining how data were collected for this research. Lincoln and Guba (1985) refer to the confirmability audit trail, which a researcher should leave to enable reviewers to determine if a research's interpretations, conclusions and recommendations can be traced to their sources and if the inquiry supports them. Purposive sampling is ideal for ensuring qualitative research's transferability, as information-rich cases are selected (Patton, 2002).

Ethical clearance for the research was obtained through the University of Johannesburg's Faculty of Humanities Ethics Committee. The documents used in the study are available in the public domain, and participants were provided with an information letter and signed a consent form for their participation. Participants were allowed to decline participation in the process.

ANALYSIS AND DISCUSSION OF RESULTS

From the thematic analysis of the selected documents and the interviews of the selected participants, it is evident that there is a misalignment between what SALGBC envisions stakeholder engagement to be and how it is experienced. SALGBC stakeholders experience the engagement from the employer as acting in bad faith, being coercive, having poor consultation and accepting industrial action as engagement.

BARGAINING IN BAD FAITH

One of the operating principles of the Johannesburg Division's local labour forum (LLF) is that stakeholders must act in good faith (Terms of Reference: LLF, City of Johannesburg, 2018). Collective bargaining stakeholders in the Johannesburg Division appear to have a contrasting view of what constitutes good faith bargaining. SAMWU's statement, for instance, captures the union's experience of collective bargaining in the Johannesburg Division:

> "The City is bargaining in bad faith. It only participates at these forums for compliance sake." (SAMWU statement on City of Johannesburg, 2018:1).

According to Gauteng Division Participant 2, employees feel that the employer is bargaining in bad faith because they refuse to bargain at an LLF level. Employees' issues are not prioritised, but rather only those proposed by the employer. The problem of bad faith manifests in different ways in the collective bargaining process. Johannesburg Division Participant 3, for instance, stressed how bad-faith bargaining shows itself in the Gauteng Division:

> "The reality is that there are those people who become bigger than the organisation itself, then violate the structures that are supposed to move the municipality or any structures of the municipality."

Despite some challenges, there were remarks about reasonable and collaborative working relations among collective bargaining stakeholders. For example:

> "We work together; we cooperate as parties to get the best results in our specific region." (Tshwane P2).

Although the Labour Relations Act of 1995 (LRA) establishes collective bargaining councils for just and fair collective bargaining, it is clear that not all collective bargaining stakeholders are satisfied. As confirmed by Dawkins (2014), good faith in collective bargaining involves stakeholders participating actively in deliberations with clear intentions of reaching a collective agreement. The misalignment between the intentions of the collective bargaining process highlighted in some of the documents and the experiences of selected participants indicate the extent to which stakeholder engagement concepts lack a comprehensive and agreed-upon definition, as noted by Lane and Kent (2018). While the literature highlights expectations for legitimacy, trust and fairness as necessary elements for stakeholder engagement (Kujala et al., 2022), some participants have highlighted the lack of meaningful engagement. This lack of engagement has implications for cultivating stakeholder relationships as a strategic and pragmatic approach. Abosag, Yen and Barner (2016) highlight that a lack of stakeholder engagement may have unintended and adverse effects, such as the perception that the employer organisation was acting in bad faith. Concurring with Nienaber and Martins (2016), Hodges (2019), Lock (2019) and Meintjes (2021), stakeholder engagement of the SALGBC can only improve if stakeholder *trust* is addressed starting with a welcoming environment to build stakeholder confidence, as suggested by Kaptein and Van Tulder (2003). To create trust, *contextual awareness* is needed. In these situations, it is essential to understand what is at stake (also on a societal level) and who may be affected (Jensen & Sandström, 2013). The creation of *multi-stakeholder learning dialogues* can enable the exploration and recognition of relational responsibilities, including trust building (Payne & Calton, 2002).

COERCIVE COLLECTIVE BARGAINING

Several research participants' and stakeholders' official statements have highlighted that intimidation is prevalent in the local government collective bargaining environment. Coercive collective bargaining refers to an environment where one stakeholder consciously takes a "leader stakeholder" position in

such a scenario. By "leader stakeholder", this research refers to a stakeholder that regards him- or herself as superior to other stakeholders in the collective bargaining environment and believes that collective bargaining decisions should be about their benefit over that of other stakeholders. The intimidation of other stakeholders usually follows this belief to buy into their bargaining position to exert power over a stakeholder. Participant 4 from the Gauteng Division states:

> "The employer would actually be a problem here because if both trade unions agree that things should be done this way, the employer is the one that complicates issues, this because they (the employer) have authority over the implementation of collective bargaining resolutions."

It seems that the "leader stakeholder" role is enacted through threatening and bullying tactics, which is where coercive collective bargaining emanates from. The SAMWU Gauteng Division press statement reads:

> "Municipal Manager with his deputy have been using their positions of authority to intimidate, threaten and cause division among our members and employees of the Midvaal Local Municipality..." (DA-Led Midvaal uses apartheid strategy to suspend workers, 2016:1).

Some research participants mentioned that the collective bargaining environment is characterised, to some degree, by fear. For example:

> "We have been followed, we have been threatened, but we don't care anymore." (Tshwane P1).
> "You know when you push hard in a municipality as a shop steward or as a union, they target you or they kill you." (Gauteng P3).

This finding concurs with Madlala and Govender (2018), who state that violence in the labour relations environment remains a worrying factor, thus demonstrating the need for a collaborative level of engagement. The threats to collective bargaining stakeholders are not only to their lives; some have a legal dimension to them, as affirmed by the following press statement:

> "The Head of Department (HOD) for Public Safety has launched a crusade against our members..." (SAMWU to challenge illegal charges by JMPD Management, 2016:1).

This behaviour is against the operating principle of the LLF that stipulates:

> "Equality of the parties during the negotiation and consultation processes" (Terms of Reference: LLF, City of Johannesburg, 2018:7).

All three collective bargaining stakeholders are signatories to the local labour forum (LLF) document. Yet, signs of coercive collective bargaining are contrary to the stakeholder engagement approach, which provides that all stakeholders' interests have an important value and that all stakeholders are viewed as equals in the engagement (Okazaki et al., 2020). A positive dialogic orientation within a positive dialogic space is needed in which all participants are encouraged to contribute through multiple iterations of two-way communication, as proposed by Lane and Kent (2018). This orientation creates a dialogue that fosters responsive and reciprocated levels of engagement.

INDUSTRIAL ACTION AS A FORM OF ENGAGEMENT

Research participants expressed that the language most quickly understood by the employer is that

of industrial action, rather than proper collective bargaining engagement processes. Consequently, industrial action has become a popular and effective form of stakeholder engagement. Industrial action is characterised by disruptive action such as strikes, pickets and go-slows by trade union members who are municipal employees. Its main aim is to exert pressure on the employer to accede to the trade union's demands. To strike is the best known form of industrial action, as Creighton, Denvir and McCrystal (2017) noted, what Participant 2 from the Gauteng Division calls "*hard bargaining*". This form of engagement is expected, despite the assertion by Heald (2016) that such an approach is obsolete in democratic South Africa. According to Heald (2016), the parties fail to achieve inclusive social development. Industrial action may be avoided through stakeholder collaboration (Kaptein & Van Tulder, 2003), helping to resolve conflict and build consensus (Kujala et al., 2022). However, militancy brings into question parties' ability to engage legitimately. Participant 3 from the Gauteng Division expressed how this form of engagement has assisted the trade union:

> "A strike is the only tool that is used by workers to force the employer to come to the table." "You see, the reason why we won the last year (2019) battle is because of the militancy that we displayed...." (Tshwane P1).

The findings reflect sentiments by Bezuidenhout (2016), who agrees that industrial action is critical to the collective bargaining process and is implemented to resolve collective bargaining stakeholders' disputes, as this is the only power held by employees. Without the threat of a strike, workers cannot engage in a meaningful collective bargaining process (Finnemore and Koekemoer, 2018; Godfrey, Maree, du Toit & Theron, 2010). The contribution and input of stakeholders need to be valued with a commitment to accept critical stakeholders (Partridge et al., 2005), while being contextually aware (Jensen & Sandström, 2013).

The analysis of the trade union's documents revealed the appreciation of the efficacy of industrial action in collective bargaining engagement. Press statements indicate that the trade union relies on industrial action, even for issues that could have been easily solved through proper engagement channels. SAMWU Gauteng Division press statement, for instance, reads:

> "SAMWU will be marching to the Midvaal municipal offices to deliver a memorandum of demand." (SAMWU to hold a protest march in Midvaal, 2016:1).

Instead of calling a meeting and engaging with the Municipal Manager, the trade union decided to protest because the employer believed this form of engagement was easily understood. However, Participant 3 from the Johannesburg Division recognises that this engagement does not necessarily build or nourish the employee-employer relationship. The participant lamented that industrial action comes with casualties at times:

> "That's the language we have, the unfortunate part from our side is that whenever that language is used, there will be some people that will lose their jobs".

By accepting industrial action as a form of engagement, stakeholders illustrate low levels of *true dialogue* in which the recognition and acknowledgement of stakeholders and their value are neglected. Similarly, the spontaneity of the dialogue is hindered, stakeholder goals and interest is not supported, and a willingness to interact with stakeholders on their terms is not considered. Limited space for dialogue is thus created in which multiple iterations of two-way communication are facilitated through *dialogic communication* (Lane & Kent, 2018).

POOR CONSULTATION

Stakeholders in the local government collective bargaining process who were research participants feel

that the employer tends to have the upper hand and makes decisions without consultation on collective bargaining matters. As stated in the SAMWU Gauteng Division statement:

> "If the Mayor is serious about having a cordial relationship with the trade unions, he should begin by consulting with trade unions..." (SAMWU Statement on the proposed reintegration of CoJ Municipal-owned entities, 2017:1).
> *"There is no engagement currently...".* (Johannesburg P1).

All this is contrary to the Terms of Reference: LLF, City of Johannesburg (2018:6), which states that:

> "The basis of sound and sustained labour relations is dependent on effective communication and cooperation...."
> "They (the employer) fail on a regular basis to communicate with employees." (Tshwane P1).

The bargaining committee's failure to fulfil its functions also came to the fore during the dialogue with research participants. After the LLF, bargaining committees are essential to the collective bargaining process. If a bargaining committee cannot meet, that would mean collective bargaining is non-existent in that division. Effective consultation before and after the committee's meetings becomes central to effecting this function. According to Participant 3 from the Gauteng Division, the Gauteng Division has recently failed to convene the bargaining committee. The participant stated that:

> "At Ekurhuleni, the current Mayor, I don't know if he's allergic towards SAMWU. He doesn't want meetings."

Participant 1 from the Tshwane Division maintains that effective and inclusive consultation could solve labour relations problems before they erupt into conflicts:

> "So, if you engage us properly, we are prepared to make a deal out of the situation..."

Participants raised an interesting issue concerning the collective bargaining experience in the Johannesburg Division, referring to the effect of trade unions' infighting on collective bargaining in the city. The participants attribute the malfunctioning collective bargaining process, specifically the LLF, to intra-trade union squabbles. This infighting has caused the employer not to recognise these trade union shop stewards, leading to the collapse of the LLF in the city. This observation was corroborated by Participant 5 from the Gauteng Division:

> "I will tell you they [intraparty squabbles] even affect the bargaining divisions. There was a time where we called a divisional meeting and we had a list of people we knew as representatives of the other trade union."

Many organisations conceded that to be productive in an environment that often experiences stakeholder activism, such as the local government collective bargaining, it is essential to develop systems and approaches that enable organisations to prioritise stakeholders (Alqaisi, 2018; Andriof et al., 2002; Thizy, Emerson, Gibbs, Hartley, Kapiriri, Lavery, Lunshof, Ramsey, Shapiro, Singh, Toe, Coche & Robinson, 2019). Morsing and Schultz (2006) suggest that stakeholder prioritisation can be accomplished by *involving stakeholders* in concurrent negotiations to explore concerns and accept changes when necessary. Part of this involvement is to recognise that stakeholder engagement is a two-way process in which they can learn from stakeholder feedback and vice versa, ensuring that engagement is *reciprocal and responsive* (French, 2011). To improve consultation between the various stakeholders in the collective

bargaining process, participation in stakeholder engagement could incorporate multi-stakeholder learning dialogues. Dialogues like these consider multicultural *values* and *norms* to understand better how complex problems result from interconnected *social roles* played by different stakeholder groups (Payne & Calton, 2002).

PROPOSED PURPOSEFUL MULTI-STAKEHOLDER LEARNING DIALOGUE (PMSLD) APPROACH

The research found that SALGBC stakeholder relationships are characterised by bad faith, intimidation, poor consultation and industrial action acceptance as a form of engagement. These are not the intentions of the SALGBC, and there is a need for a different approach to address this high-conflict labour context. To address each of the themes, the literature was explored for possible ways to mitigate the conflict in the collective bargaining process. Based on the findings and related literature, a purposeful multi-stakeholder learning dialogue approach is suggested to address this gap (see Figure 1). A summary of the literature adopted in the PMSLD linked with the themes is outlined in Table 2.

Table 2: Literature adopted in the PMSLD

Theme	Concept/s	Authors
Bargaining in bad faith	Contextual awareness. Multi-stakeholder learning dialogue.	(Jensen & Sandström, 2013) (Payne & Calton, 2002)
Coercive collective bargaining	Dialogic orientation. Positive dialogic space.	(Lane & Kent, 2018)
Industrial action as a form of engagement	Dialogic communication. True dialogue.	(Barge & Little, 2002; Lane & Kent, 2018)
Poor consultation	Being reciprocal and responsive to stakeholders. Understanding stakeholder values and social roles.	(French, 2011) (Payne & Calton, 2002)

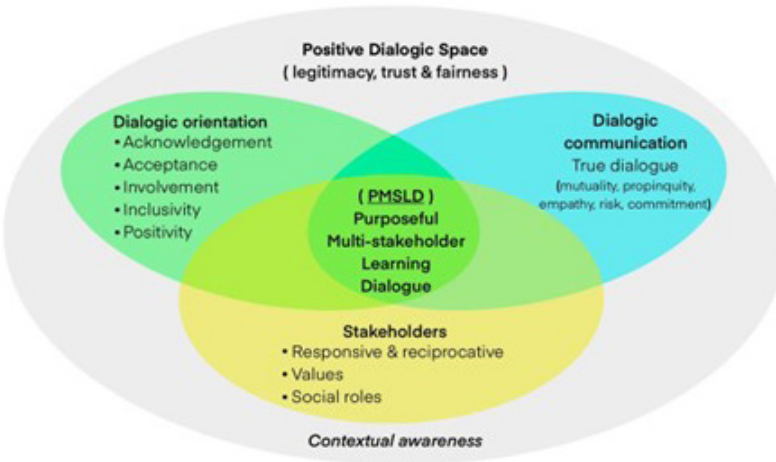

Figure 1: Purposeful multi-stakeholder learning dialogue (PMSLD) approach

To create a positive dialogic space where stakeholders can expect legitimacy, trust and fairness (outer grey sphere), it is essential to address collective bargaining in bad faith. In this theme, the disconnect between the multiple stakeholders was evident, including the misalignment between the intentions of

the collective bargaining process and stakeholder experience. It is proposed that contextual awareness (outer grey sphere) among all stakeholders is needed. This means that all the stakeholders recognise what and who is at stake. Once there is contextual awareness, an integration between three areas: dialogic communication (turquoise sphere), dialogic orientation (green sphere) and stakeholders (yellow sphere) may be possible. The first of the three areas is stakeholders who are responsive and reciprocate dialogue, feel valued, and are aware of each other's social roles. It is envisaged that this element of the proposed approach may address the poor consultation levels currently experienced. Stakeholders need a dialogic orientation in which all parties are acknowledged, accepted, included, and positive towards each other. In this way, the coercive nature of current collective bargaining practices may be eliminated. Dialogue is a means to communicate, and the characteristics of dialogue which lead to high levels of true dialogue need to be worked towards. These are mutuality, propinquity, empathy, risk and commitment. Mutuality refers to recognising that there is a relationship between an organisation and its stakeholders. In propinquity, stakeholders interact in real-time and spontaneously. Empathy is the organisation's sense of support for social goals and interests. Communication risk refers to an organisation's intention to communicate on stakeholder terms. Organisations commit to dialogue, interpretation, and understanding of their engagement with stakeholders to the extent that they are ready to do so. When true dialogue occurs, industrial action may be minimised as a form of engagement.

When the three areas come together, purposeful multi-stakeholder learning dialogue and involvement occur (PMSLD). PMSLD is characterised by multiple iterations of two-way communication that is frequent and systematic, accepting stakeholders' rights to contribute, a commitment to change, listening, reflection, responding and providing resources for dialogue. Stakeholder accountability and responsibility can be achieved through the involvement of stakeholders in decision-making processes.

CONCLUSION

Being purposeful in engaging stakeholders and ensuring reciprocal learning from and with stakeholders rather than merely engaging with them requires a serious commitment beyond dialogue. Adopting a learning dialogue involves embracing and accepting critical stakeholders as a strategic asset in shaping the direction of the issue and organisation. Those involved in collective bargaining need to create an interactive environment where stakeholders can cooperatively engage with each other through true dialogue, acknowledging and accepting each other with an inclusive and positive attitude. Being responsive and reciprocal means that the collective bargaining process should be regarded as an iterative two-way process in which the stakeholders value each other's social roles, contributions and presence.

The purposeful multi-stakeholder learning dialogue (PMSLD) approach proposed in this paper reveals that the power differences and strategic motivations of different organisational stakeholders should not influence stakeholder engagement. It accentuates the importance of stakeholders learning from each other and being responsive and reciprocal. Such an approach increases the possibility of minimising conflict in a working collective bargaining environment. Stakeholder engagement practitioners could use the proposed approach to design collective bargaining stakeholder engagement workshops and dialogues for local government labour relations.

This research contributes to the limited research on stakeholder engagement in complex, high-conflict labour and collective bargaining contexts. The proposed approach for purposeful multi-stakeholder learning dialogue and involvement illustrates the natural and necessary integration of dialogue as communication in a dialogic context. This integration is needed for stakeholder engagement to be considered legitimate and based on trust and fairness to avoid the effects of negative stakeholder engagement. The integration of dialogic communication and the dialogic context with the stakeholders indicates that all stakeholders are considered equal and that no stakeholder is positioned as the "organisation" or "leader stakeholder". Each stakeholder in this approach brings a positive stakeholder context and contextual awareness. These are necessary in the learning dialogue in which multiple iterations of dialogue need to take place for stakeholders to learn and adapt.

Theoretically, this research extends the instrumental perspective of stakeholder theory that is

concerned with ethics emphasising that stakeholder involvement in decision-making is more extensive than balancing the interests of stakeholders. It is also about building trust and fairness as elements of an ethical approach to engaging with stakeholders. It requires true dialogue and a positive attitude towards learning about the stakeholders and the value they bring to the engagement. From a behavioural stakeholder perspective, this research highlights the need for examining the social and moral motives underlying stakeholder behaviour and how this influences relationships between the organisation and stakeholders and the various stakeholder groups involved in an issue.

The PMSLD approach provides the foundation for further research into how dialogic orientation and communication are applied in the context of multi-stakeholder learning dialogue in a local government labour context. It may, however, be extended to other contexts in which true dialogue is needed for more meaningful stakeholder engagement.

LIMITATIONS

The qualitative nature of the research does not allow for the findings to be generalised to the broader local government collective bargaining context. Similarly, due to the sensitive nature of the research, some participants may not have felt entirely comfortable sharing all the details of their lived reality related to the research context. Theoretically, this paper focussed on the relationship between stakeholder engagement and collective bargaining from a communication and stakeholder relationship perspective. Thus, the managerial and legal perspectives of stakeholder engagement and collective bargaining do not form part of this paper. It is suggested that these are explored specifically in the contact of how they influence dialogue and relationships.

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